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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JAMES RAY WALKER,

Petitioner,

vs.

WILLIAM GITTERE, et al.,

Respondents.

Case No. 2:15-cv-01240-RFB-GWF

**UNOPPOSED MOTION FOR  
ENLARGEMENT OF TIME (THIRD  
REQUEST SINCE FILING OF STATEMENT  
WITH RESPECT TO EXHAUSTION)**

**DEATH PENALTY CASE**

Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, hereby respectfully move this Court for an order granting a forty-five (45) day enlargement of time, to and including June 23, 2023, in which to file and serve their response to petition.

This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and other materials on file herein.

There have been two prior enlargements of Respondents' time to file said response since James Ray Walker filed his Statement With Respect to Exhaustion and this motion is made in good faith and not for the purposes of delay.

RESPECTFULLY SUBMITTED this 8th day of May, 2023.

AARON D. FORD  
Attorney General

By: /s/ Matthew S. Johnson  
MATTHEW S. JOHNSON (Bar. No. 12412)  
Senior Deputy Attorney General

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**DECLARATION OF COUNSEL**

I, Matthew S. Johnson, hereby state, based on personal knowledge and/or information and belief, that the assertions of this declaration are true:

1. I am a Deputy Attorney General of the Post-Conviction Division of the Nevada Attorney General's Office, and I make this declaration on behalf of Respondents' motion for enlargement of time.

2. My response in this matter is presently due on May 9, 2022. I respectfully request a 45-day extension to complete my response.

3. Due to the voluminous nature of the pleadings and exhibits in this death penalty case along with my other responsibilities and the turnover in our office that has required me to take on additional cases with short deadlines, I need additional time to complete a response to the petition. The response has also been delayed because another team-member working on this response with me had a family emergency causing them to be out of the office for an extended period of time which delayed the completion of the response in this case.

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10      6.      I contacted counsel for the Petitioner and they have no objection to this request.

13 By: /s/ Matthew S. Johnson  
14 MATTHEW S. JOHNSON (Bar. No. 12412)  
Senior Deputy Attorney General

17 IT IS SO ORDERED.

DATED this 9th day of May, 2023.

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General and that on this 8th day of May, 2023, I served a copy of the foregoing **UNOPPOSED MOTION FOR ENLARGEMENT OF TIME (THIRD REQUEST SINCE FILING OF STATEMENT WITH RESPECT TO EXHAUSTION)**, by U.S. District Court CM/ECF electronic filing to:

David Anthony  
Martin Novillo  
T. Kenneth Lee  
Assistant Federal Public Defenders  
411 East Bonneville Ave., Suite 250  
Las Vegas, NV 89101

/s/ April Markiewicz